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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,152	03/08/2000	Michael Hamilton	4098.21A	1240
23484	7590	09/29/2004	EXAMINER	
JOHN W. L. OGILVIE 1320 EAST LAIRD AVENUE SALT LAKE CITY, UT 84105			FLYNN, KIMBERLY D	
		ART UNIT	PAPER NUMBER	
		2153	91	
DATE MAILED: 09/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/521,152	HAMILTON ET AL.	
	Examiner	Art Unit	
	Kimberly D Flynn	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 August 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-87 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-41,44-55,59-74 and 77-87 is/are rejected.
- 7) Claim(s) 42,43,56-58,75 and 76 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10 and 13.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This action is in response to a Response filed August 10, 2004. Claims 1-87 are presented for further consideration.

Claim Rejection – 35 U.S.C. 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 82 is rejected under 35 U.S.C. 103(a) as being unpatentable by Agraharam et al. (5,987,508 hereinafter Agraharam), and in further view of Curry et al. (6,233,234 hereinafter Curry).

In considering claim 82, Agraharam discloses a signal embodied in computer system, comprising an email message which contains a telecommunications number as an email address in place of at least an alphanumeric user name (see col. 3, lines 10-23).

Although Agraharam shows substantial features of the claimed invention, he fails to disclose a telecommunications number being used in place of at least a conventional domain name. However, Curry, whose invention is a system and method for providing telephony communication through a packet switched data network such as the Internet and an organization having telephone and computer terminals connected to a local area network discloses the destination address including a telecommunications number in place of at least a conventional domain name wherein the destination address domain is free of periods (see col. 16, lines 19-20). Therefore, given the teachings of Curry, it would have been obvious for a person having ordinary

skills in the art to modify Agrapharam by using a telecommunications number as an email address in place of at least an alphanumeric domain name in order to simplifier the alphanumeric-to-numeric conversion of the domain name being performed by the DNS (domain name server).

4. Claims 1-40, 44-55, 59-74, 77-81 and 83-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrapharam and Curry as applied to claim 82, and further in view of Nicholls

In considering claims 1, 12-15, 45, and 78, Agrapharam discloses a method, system, and configured computer program product for routing a message, comprising the steps of:

an email receiver for receiving an email message, which includes at least a destination address and may include message content, the destination address including a telecommunications number in place of at least a conventional user name (see col. 3, lines 10-23);

an address matcher for attempting to obtain a delivery addressing index (actual email address) which corresponds to the telecommunications number in the destination address (see col. 3, lines 24-41, lines 59-66; Fig. 1, Translation Server 110); and

if message content is present and a delivery addressing index is obtained, advancing the email message content for delivery using the delivery addressing index (see col. 3, lines 59-66).

Additionally, Curry discloses a telecommunications number being used in place of at least a conventional domain name, wherein the destination address domain is free of periods and in which the domain name is entirely non-alphabetic (see col. 16, lines 19-20).

Although Agraharam and Curry show substantial features of the claimed invention, they fail to disclose selecting at least one delivery mode. However, Nicholls discloses such a selection of at least one delivery mode via a mode selector (messaging task enablement) (see col. 4, lines 32-37, lines 41-46). Therefore, given the teachings of Nicholls, it would have been obvious for a person having ordinary skills in the art to modify Agraharam and Curry by selecting at least one delivery mode in order to provide the option for sending messages to more than one type of device.

Additionally, Nicholls discloses advancing the email message content for delivery using at least one selected delivery mode if message content is present (see Fig. 2a, Block 234; Fig. 3, Block 302; Fig. 4, Block 404; Fig. 5, Block 504; Fig. 6, Block 604).

In considering claims 2 and 79, Agraharam discloses a method and configured storage medium wherein the addressing index includes an email address (see col. 3, lines 24-41, lines 59-66).

In considering claims 4 and 46, Nicholls discloses a method and system wherein the step of selecting a delivery mode is performed at the direction of a message sender (see col. 4, lines 32-34).

In considering claim 7, Agraharam discloses a method wherein the number is obtained through directory assistance (see Fig. 3, Steps 304, 309, 310, 311, 312, 313).

In considering claim 16, Nicholls discloses a method wherein the receiving step receives an email message whose destination telecommunications number is a pre-existing voice line number identifying a telephone number which can also be used for live voice communications (see col. 3, lines 66-67 and col. 4, lines 1-8; Fig. 1, Telephony Sub-System 22; Fig. 7; Fig. 6).

In considering claim 17, Nicholls discloses a method wherein the receiving step receives an email message whose destination telecommunications number is a pre-existing voice line number identifying a telephone number which can also be used for voicemail communications (see col. 3, lines 66-67 and col. 4, lines 1-8; Fig. 1, Telephony Sub-System 22; Fig. 7; Fig. 6).

In considering claim 18, Nicholls discloses a method wherein the receiving step receives an email message whose destination telecommunications number is a pre-existing fax line number identifying a fax number which can also be used for fax-to-fax communications (see col. 3, lines 40-50; Fig. 1, Facsimile sub-system 18; Fig. 7; Fig. 4).

In considering claim 19, Nicholls discloses a method wherein the receiving step receives an email message whose destination telecommunications number is a pre-existing internet connection line number identifying a internet connection number which can also be used for internet access (see col. 4, lines 12-21; Fig. 1; E-Mail Subsystem 24; Fig. 7) [note: in order to send e-mails to the messaging server 12 in Fig. 1; internet access must be established for accepting the e-mail, which must be identified by its destination in order to be received].

In considering claim 23, Joy et al. discloses a method wherein the receiving step receives an email message whose message content is formatted according to Multipurpose Internet Mail Extensions format (see col. 8, lines 47-60).

In considering claim 25, Agraharam discloses a method wherein the attempting step attempts to obtain a delivery email address that includes attribute-value pairs (employee-workplace) (see Fig. 1, “steveg+attmail.com”).

In considering claims 27 and 80, Agraharam discloses a method and configured storage medium wherein the attempting step uses the telecommunications number as an index into a

database of public keys to obtain a public key corresponding to the telecommunications number (see Fig. 1, Database 117; col. 3, lines 40-46).

In considering claims 30 and 81, Agraharam discloses a method and configured storage medium wherein the attempting step attempts to obtain a delivery addressing index using a database maintained on an email gateway (Fig. 1, Translation Server 110) which separates a network (Fig. 1, POTS Network 109) from the Internet, and the email message was composed on a machine (Fig. 1, Client Machine 101) in the network (see Fig. 1, Database 117; col. 3, lines 40-46).

In considering claim 31, Nicholls discloses a method wherein the selecting step selects voice delivery as a delivery mode (see col. 3, lines 66-67 and col. 4, lines 1-8; Fig. 1, Telephony Sub-System 22).

In considering claim 32, Curry discloses a method wherein the advancing step uses a wireless communications link (see col. 33, lines 49-51).

In considering claim 33, Nicholls discloses a method wherein the attempting step succeeds in obtaining a delivery email address as the addressing index and the selecting step selects email text delivery as a delivery mode (see col. 4, lines 12-21; Fig. 1; E-Mail Subsystem 24; Fig. 7).

In considering claims 34 and 67, Nicholls discloses a method and system wherein the selecting step also selects voice delivery as a delivery mode and the advancing step comprises synthesizing speech from text in the email message content and then delivering the synthesized speech to a recipient at the telecommunications number (see col. 3, lines 66-67 and col. 4, lines 1-8; Fig. 1, Telephony Sub-System 22).

In considering claims 37 and 70, Nicholls discloses a method wherein the selecting step also selects fax delivery as a delivery mode and the advancing step comprises generating a fax containing the email message content and then delivering the fax to a fax machine at the telecommunications number (see col. 3, lines 40-48; Fig. 1, Facsimile Subsystem 18).

In considering claim 38, Nicholls discloses a method wherein the attempting step fails to obtain an email address, the selecting step selects voice delivery as a delivery mode, and the advancing step comprises synthesizing speech from text in the email message content and then delivering the synthesized speech to a recipient at the telecommunications number (see Fig. 3, Box 300 "No", Box 310; col. 3, lines 66-67 and col. 4, lines 1-8; Fig. 1, Telephony Sub-System 22) [note: failing to obtain an email address is the same as determining that the e-mail is not to be forwarded to another e-mail address, as in Box 300].

In considering claim 41, Nicholls discloses a method wherein the attempting step fails to obtain a delivery email address, the selecting step selects fax delivery as a delivery mode, and the advancing step comprises generating a fax containing the email message content and then delivering the fax to a fax machine recipient at the telecommunications number (see Fig. 3, Box 300 "No", Box 306; col. 3, lines 40-48; Fig. 1, Facsimile Subsystem 18).

In considering claim 44, Nicholls discloses a method wherein the telecommunications number identifies a pager, and the advancing step comprises delivering the email message content to the pager (see Fig. 1, Pager Subsystem 20; col. 3, lines 57-61).

In considering claim 48, Nicholls discloses a system wherein the mode selector selects a mode in response to at least one rule previously specified by the message sender (form of delivery) (see Fig. 7, Priority Messaging Parameters 702).

In considering claim 49, Agraharam discloses a system further comprising a telecommunications number detector that determines whether the email destination address contains a telecommunications number, and an email diverter (see Fig. 1, Translation Server 110).

In considering claim 50, Agraharam discloses a system wherein the email diverter diverts the email to a predefined location (the sender of the e-mail) (see col. 4, lines 28-34).

In considering claim 51, Agraharam discloses a system wherein the email diverter diverts the email to a location identified by modifying the delivery destination address (see col. 4, lines 28-34) [note: the delivery destination address has been modified by being entirely replaced with the sender's address to send back].

In considering claim 54, Agraharam discloses a system wherein the address matcher comprises a database, which places telecommunications numbers in correspondence with delivery email addresses (see Fig. 1, Database 117; col. 3, lines 40-46).

In considering claim 62, Nicholls discloses a system wherein the mode selector recognizes configuration flags (fax, pager, telephone, PC) (see Fig. 1; col. 4, lines 41-56).

In considering claims 63, 64, and 65, Nicholls discloses a system wherein the configuration flags specify for at least one destination that voice delivery should be used only if no delivery email address is obtained, that voice delivery should be used even if a delivery email address is obtained, and that email delivery, voice delivery, pager delivery, and fax delivery should each be attempted (see Fig. 2a, Steps 210, 218, 226, and 232) [note: the sender has the option of enabling any amount of device(s) they chose to].

In considering claim 66, Agraharam discloses a system wherein the configuration flags for at least one destination specify that delivery should be attempted multiple times until a delivery confirmation is received (see col. 4, lines 26-28).

In considering claim 84, Nicholls discloses a signal further comprising at least one configuration flag, which specifies at least one email delivery mode (see Fig. 7, 706).

In considering claim 3, Examiner takes official notice that an addressing index including a web site address is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to use a web site address as a correspondence to a telecommunications phone number. Any type of static address, including an email address, could be used as a viable index. Although Agraharam, Curry, and Nicholls never specify using a web address as an addressing index, using one is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claims 5 and 47, Examiner takes official notice that the step of selecting a delivery mode being performed at the direction of a message recipient is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention for the message recipient to select the delivery mode. The option of having the message sender or the message recipient selecting the delivery mode is based upon the designer's choice. Although Agraharam, Curry, and Nicholls never specify giving the message recipient the option of selecting the delivery mode, doing so is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claim 6, 8, 9, 10, Examiner takes official notice that a telecommunications number used as the destination address being a publicly listed number that is obtained through

directory assistance, being an unlisted number, being a toll-free number, and being a 900 toll number is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to provide the above methods to obtain and use various telecommunications number. The type of telecommunications number used, as well as how to obtain a telecommunications number, have been in use for a long time. Although Agraaharam, Curry, and Nicholls never specify the telecommunications number used as the destination address is a publicly listed number, the publicly listed number is obtained through directory assistance, the telecommunications number used as the destination address is an unlisted number, the telecommunications number used as the destination address includes a toll-free number, or the telecommunications number used as the destination address includes a 900 toll number, these are obvious modifications to the methods and systems disclosed by Agraaharam, Curry, and Nicholls.

In considering claims 11, Examiner takes official notice that an origin address including an origin telecommunications number, and the origin telecommunications number used in place of a conventional alphanumeric origin address domain name is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to have the origin address being used as the destination address, as well as including a telecommunications number in the origin address domain address. The concept of using a telecommunications number as the address domain name has already been established, so applying that to the origin address is no different than applying it to the destination address. Although Agraaharam, Curry, and Nicholls never specify an origin address including an origin telecommunications number, responding to the email message using the origin address as the new destination address, or the origin telecommunications number used in place of a conventional alphanumeric origin address domain

name, doing so is an obvious modification to the methods and systems disclosed by Agraharam Curry, and Nicholls

In considering claims 20, 21, and 22, Examiner takes official notice that an email message whose message content is located at least in part in text in a subject field, an email message whose message content is located at least in part in text in a message field, and an email message whose message content is located at least in part in text in an attached file is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to have message content located, as text, in a subject field, message field, and attached file. Text message content has been provided in the subject field, message field, and attached file for quite a while. Although Agraharam, Curry, and Nicholls never specify an email message whose message content is located at least in part in text in a subject field, an email message whose message content is located at least in part in text in a message field, and an email message whose message content is located at least in part in text in an attached file, doing one is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claim 24, Examiner takes official notice that a delivery email address that includes an alphanumeric user name and an alphanumeric domain name is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to utilize an email address comprising both an alphanumeric user name and domain name. Such a format has been in wide use for a while. Although Agraharam, Curry, and Nicholls never specify a delivery email address that includes an alphanumeric user name and an alphanumeric domain name, using such a format is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claims 26 and 28, Examiner takes official notice that a delivery addressing index using a database maintained on a client machine on which the email message was composed, as well as using a database maintained on "an email server machine is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to obtain a delivery addressing index using a database maintained on a client machine on which the email message was composed, as well as using a database maintained on "an email server machine. Agraaharam even discloses the option of having the database located elsewhere over the Internet (see col. 4, lines 1-2). Although Agraaharam, Curry, and Nicholls never specify obtaining a delivery addressing index using a database maintained on a client machine on which the email message was composed, as well as using a database maintained on "an email server machine, doing so is an obvious modification to the methods and systems disclosed by Agraaharam, Curry, and Nicholls

In considering claim 29, Examiner takes official notice that the email server machine utilizing Simple Mail Transfer Protocol is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to utilize Simple Mail Transfer Protocol, as SMTP has widely been in use for sending messages from one computer to another on a network. Although Agraaharam, Curry, and Nicholls never specify an email server machine utilizes Simple Mail Transfer Protocol, using it is an obvious modification to the methods and systems disclosed by Agraaharam, Curry, and Nicholls

In considering claims 35, 36, 39, and 40, Examiner takes official notice that delivering the synthesized speech to a voicemail box recipient and delivering the synthesized speech to a live recipient is well known. It would have been obvious for one of ordinary skill in the art at the

time of the invention to deliver synthesized speech to a voicemail box, as well as a live recipient. Both receiving methods for been in use for a while as a means for receiving any type of speech, including synthesized. Although Agrapharam, Curry, and Nicholls never specify delivering the synthesized speech to a voicemail box recipient and delivering the synthesized speech to a live recipient, doing so is an obvious modification to the methods and systems disclosed by Agrapharam, Curry, and Nicholls

In considering claims 52 and 53, Examiner takes official notice that the email receiver comprising a client email program running on a client machine, as well as the email receiver comprising a groupware program running on a client machine is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to utilize a client email program and a groupware program for providing both individual and collaborative communications via email. Although Agrapharam, Curry, and Nicholls never specify the email receiver comprising a client email program running on a client machine, as well as the email receiver comprising a groupware program running on a client machine, using such formats are obvious modifications to the methods and systems disclosed by Agrapharam, Curry, and Nicholls

In considering claim 55, Examiner takes official notice that the system including a database interface for placing telecommunications numbers and delivery addressing indexes in the database to create correspondences between them is well known in the database art. It would have been obvious for one of ordinary skill in the art at the time of the invention to create a correspondence between the telecommunications numbers and the delivery addressing indexes in order to create a back-up copy. Although Agrapharam, Curry, and Nicholls never specify the system including a database interface for placing telecommunications numbers and delivery

addressing indexes in the database to create correspondences between them, doing so is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claim 59, Examiner takes official notice that a database being maintained by a regional Bell operating company is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to employ a regional Bell operating company for maintaining a database, as such companies have already managed many databases. Although Agraharam, Curry, and Nicholls never specify that a regional Bell operating company maintain the database, using such a company is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claims 60 and 61, Examiner takes official notice that the database including an X.500 database, and the database including an X.509 database is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to use such databases, as both have been in use for a while. Although Agraharam, Curry, and Nicholls never specify the database including an X.500 database, and the database including an X.509 database, using such databases are obvious modifications to the methods and systems disclosed by Agraharam, Curry, and Nicholls

In considering claims 68 and 69, Examiner takes official notice that the deliverer comprising computer implemented natural language translation, and the deliverer delivering a natural language translation prepared by a person is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to employ both methods for performing natural language translation, as person and computer implemented translations have been used for a while. Although Agraharam, Curry, and Nicholls never specify the deliverer

comprises computer implemented natural language translation, and the deliverer delivers a natural language translation prepared by a person, using such translations are obvious modifications to the methods and systems disclosed by Agraham, Curry, and Nicholls

In considering claims 71 and 72, Examiner takes official notice that the email sender comprising a messaging service in a telecommunications system, as well as the messaging service being accessed by message originators through a toll-free telephone number is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to set up and use such a messaging service, as they have been in use for a while in devices such as answering and voice mail machines. Although Agraham, Curry, and Nicholls never specify the email sender comprises a messaging service in a telecommunications system, as well as the messaging service is accessed by message originators through a toll-free telephone number, using such a service is an obvious modification to the methods and systems disclosed by Agraham, Curry, and Nicholls

In considering claims 73, 74, and 87, Examiner takes official notice that the deliverer comprising a speech-to-text generator, which converts speech into written message content, and the deliverer performs video streaming to deliver message content is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to use a speech-to-text generator, as well as streaming video content. Both practices have been widely in use for a while. Although Agraham, Curry, and Nicholls never specify the deliverer comprises a speech-to-text generator which converts speech into written message content, and the deliverer performs video streaming to deliver message content, doing so is an obvious modification to the methods and systems disclosed by Agraham, Curry, and Nicholls

In considering claim 77, Examiner takes official notice that the mode selector comprising a visual interface is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to employ such a visual interface for selecting the deliver mode, as such interfaces are widely in use by many e-mail applications (e.g. Inbox, AOL). Although Agrahamam, Curry, and Nicholls never specify the mode selector comprising a visual interface, using such an interface is an obvious modification to the methods and systems disclosed by Agrahamam, Curry, and Nicholls

In considering claim 83, Examiner takes official notice that the email message further comprising an origin telecommunications number used as an email origin address is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to have an origin telecommunications number, as well as a destination telecommunications number disclosed above, as an email address. Using such an origin number has no effect on the delivery of the message disclosed above. Although Agrahamam, Curry, and Nicholls never specify the email message further comprising an origin telecommunications number used as an email origin address, using such a number is an obvious modification to the methods and systems disclosed by Agrahamam, Curry, and Nicholls

In considering claims 85 and 86, Examiner takes official notice that at least one configuration flag, which specifies a staggered delivery mode, and at least one configuration flag, which specifies a wireless delivery mode is well known. It would have been obvious for one of ordinary skill in the art at the time of the invention to use a configuration flag for specifying the different delivery modes, as configuration flags have been in use for a while. Although Agrahamam, Curry, and Nicholls never specify at least one configuration flag which

specifies a staggered delivery mode, and at least one configuration flag which specifies a wireless delivery mode, doing so is an obvious modification to the methods and systems disclosed by Agraharam, Curry, and Nicholls.

Allowable Subject Matter

5. Claims 42-43, 56-58, and 75-76 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Information Disclosure Statement

6. The information disclosure statement (IDS) submitted on December 12, 2002 and July 2, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statement.

Response to Arguments

7. Applicant's arguments with respect to claims 1-87 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

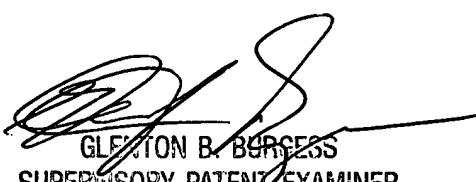
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kimberly D Flynn
Examiner
Art Unit 2153

KF
September 23, 2004



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100